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PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	09/556280-Conf. #7997
	Filing Date	April 24, 2000
	First Named Inventor	Henry F. Mcinerney
	Art Unit	2877
	Examiner Name	R. A. Rosenberger
Total Number of Pages in This Submission	Attorney Docket Number	L0532.70010US00

**ENCLOSURES (Check all that apply)**

<input checked="" type="checkbox"/> Fee Transmittal Form	<input checked="" type="checkbox"/> Drawing(s) 11 Sheets of Formal Drawings (FIGS. 1-17)	<input type="checkbox"/> After Allowance Communication to TC
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	Part B – Fee Transmittal Response to Notice of Allowance
<input checked="" type="checkbox"/> Information Disclosure Statement with cited references	<input type="checkbox"/> CD, Number of CD(s) _____	Copy of Formal Drawings filed 10/10/2000
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Landscape Table on CD	Copy of IDS filed 4/6/2004
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	Remarks	Return Receipt Postcard
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	WOLF, GREENFIELD & SACKS, P.C.		
Signature			
Printed name	Neil P. Ferraro		
Date	February 10, 2006	Reg. No.	39,188

**Certificate of Mailing Under 37 CFR 1.8(a)**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: 2/10/06

Signature: (Elyse B. Pino)



Docket No.: L0532.70010US00  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Henry F. Mcinerney et al.  
Serial No.: 09/556280  
Confirmation No.: 7997  
Filed: April 24, 2000  
For: PORTABLE AUTHENTICATION DEVICE AND METHOD OF  
AUTHENTICATING PRODUCTS OR PRODUCT PACKAGING  
Examiner: R. A. Rosenberger  
Art Unit: 2877

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Dated: 2/10/06

Elyse B. Pino  
Elyse B. Pino

**NOTIFICATION OF LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS**  
**UNDER 37 C.F.R. § 1.27(g)(2)**

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicants are no longer entitled to claim small entity status.

Dated: February 10, 2006

Respectfully submitted,

By Neil P. Ferraro

Neil P. Ferraro  
Registration No.: 39,188  
WOLF, GREENFIELD & SACKS, P.C.  
Federal Reserve Plaza  
600 Atlantic Avenue  
Boston, Massachusetts 02210-2206  
(617) 646-8000



Docket No.: L0532.70010US00  
(PATENT)

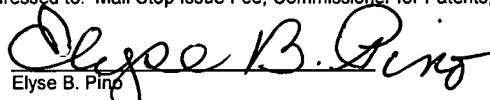
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Henry F. Mcinerney et al.  
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Examiner: R. A. Rosenberger  
Art Unit: 2877

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Dated: 2/10/06

  
Elyse B. Piro

**RESPONSE TO NOTICE OF ALLOWANCE REGARDING AN INFORMATION  
DISCLOSURE STATEMENT**

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notice of Allowance mailed January 17, 2006, enclosed is an Information Disclosure Statement.

In the Notice of Allowance, the Examiner indicated that certain of the non-patent literature listed on the 1449 form of the IDS mailed on April 6, 2004 were not present in the file and thus the Examiner has lined through those citations as not being considered. Copies of the Transmittal Letter, the Return Receipt Postcard as stamped by the OIPE, and the check covering the fee are enclosed and the Applicants believe that the references were properly cited and should have been in the file.

In any event, to expedite issuance, the Applicants hereby re-submit the complete IDS as filed on April 6, 2004. A new 1449 form listing only those references lined out by the Examiner as

well as a copy of the references themselves. Because it is believed that the Information Disclosure Statement was properly cited, no fee is included.

In view of the foregoing, this application should now pass to issue. If the Examiner believes, after this amendment, that the application is not in condition for allowance, the Examiner is requested to call the Applicants' attorney at the telephone number listed below.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicants hereby request any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 23/2825.

Respectfully submitted,

*McInerney et al., Applicants*

Dated: \_\_\_\_\_

February 10, 2006



\_\_\_\_\_  
Neil P. Ferraro, Reg. No. 39,188  
WOLF, GREENFIELD & SACKS, P.C.  
600 Atlantic Avenue  
Boston, MA 02210  
(617) 720-3500



Docket No.: L0532.70010US00  
(PATENT)

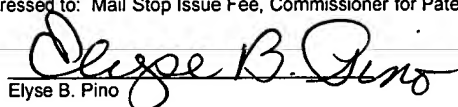
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Henry F. Mcinerney et al.  
Serial No.: 09/556280  
Confirmation No.: 7997  
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For: PORTABLE AUTHENTICATION DEVICE AND METHOD OF  
AUTHENTICATING PRODUCTS OR PRODUCT PACKAGING  
Examiner: R. A. Rosenberger  
Art Unit: 2877

**Certificate of Mailing Under 37 CFR 1.8(a)**

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Dated: 2/10/06

  
Elyse B. Pino

**SUBMISSION OF FORMAL DRAWINGS**

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notice of Allowance mailed January 17, 2006, submitted herewith is one set of formal drawings for filing in the above-identified patent application. Kindly replace the drawings submitted with the originally filed application with the enclosed drawings.

In the Notice of Allowance, the Examiner indicated that formal drawings must be submitted as the drawings filed with the application in April, 2000 are informal. It is respectfully submitted that the Applicants submitted the formal drawings on October 10, 2000 and includes a copy of the Transmittal Letter, Letter to the Official Draftsperson and the Return Receipt Postcard indicating that the OIPE received the formal drawings. Nevertheless, to ensure that the application be issued with formal drawings and to expedite issuance of the application, the Applicants herewith re-submit the formal drawings.

In view of the foregoing, this application should now pass to issue. If the Examiner believes, after this amendment, that the application is not in condition for allowance, the Examiner is requested to call the Applicants' attorney at the telephone number listed below.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicants hereby request any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 23/2825.

Respectfully submitted,

*McInerney et al., Applicants*

Dated: February 10, 2006



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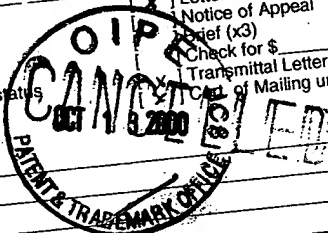
Neil P. Ferraro, Reg. No. 39,188  
WOLF, GREENFIELD & SACKS, P.C.  
600 Atlantic Avenue  
Boston, MA 02210  
(617) 720-3500

Serial No. 09/556,280 File No. L0532/7010 By: NPF  
Title: Portable Authentication Device...  
Application of H. Mc Inerney et al. WGS Date: ndd

The U.S. PTO Mail Room acknowledges receipt of the following on the date stamped hereon:

- ☐ Mailing by Express Mail (37 CFR 1.10)
- ☐ Express Mail Label No. \_\_\_\_\_
- ☐ Patent Application
  - ☐ Non-provisional ☐ Provisional
  - Incl. \_\_\_\_\_ pages, ( \_\_\_\_\_ pgs) Specification, \_\_\_\_\_ # claims
  - ( \_\_\_\_\_ pgs) Abstract, ( \_\_\_\_\_ pgs) Claims ( \_\_\_\_\_ # claims)
- ☐ Design Patent Application
- ☐ Declaration(s) \_\_\_\_\_
- ☒ Drawings \_\_\_\_\_ Sheet(s) (FIGS. 1-17)
  - ☒ Formal ☐ Informal
- ☐ Utility Patent Application Transmittal
- ☐ Fee calculation sheet (x2)
- ☐ CPA Transmittal
- ☐ Verified Statement claiming small entity status
- ☐ Assignment and Cover Sheet

- ☐ Provisional Application Cover Sheet
- ☐ Multiple Dependent Claim Fee Sheet
- ☐ Inf. Discl. Statement, PTO Form 1449
- ☐ References Cited
- ☐ Priority Document(s) # \_\_\_\_\_
- ☐ Copy of Notice to File Missing Parts
- ☐ Amendment/Response
- ☐ Petition for Ext. of Time (x2)
- ☐ Issue Fee Transmittal
- ☐ Letter to Official Draftsperson
- ☐ Notice of Appeal
- ☐ Brief (x3)
- ☐ Check for \$ \_\_\_\_\_ Check # \_\_\_\_\_
- ☐ Transmittal Letter (x2)
- ☐ Certificate of Mailing under 37 CFR 1.8(a)



☐ Other \_\_\_\_\_

DATE MAILED 10-10-00



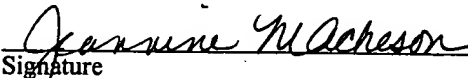
ATTORNEY'S DOCKET NO. L0532/7010/NPF

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Henry F. McInerney, et al.  
Serial No: 09/556,280  
Filed: April 24, 2000  
For: PORTABLE AUTHENTICATION DEVICE AND METHOD OF  
AUTHENTICATING PRODUCTS OR PRODUCT PACKAGING  
Examiner: Unknown  
Art Unit: 2877

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Commissioner for Patents, Washington, D.C. 20231, on the 10<sup>th</sup> day of October, 2000.

  
Signature

Attn: Official Draftsperson  
COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

Sir:

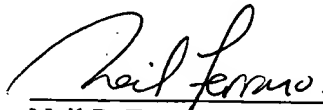
Transmitted herewith is/are the following document(s):

- ☒ Eleven (11) Sheets of Formal Drawings (Figs. 1-17)
- ☒ Letter to Official Draftsperson
- ☒ Return Receipt Postcard

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 720-3500, Boston, Massachusetts.

No fee is required. If a fee is required, it may be charged to the account of the undersigned, Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.

Respectfully Submitted,



Neil P. Ferraro, Reg. No. 39,188  
WOLF, GREENFIELD & SACKS, P.C.  
600 Atlantic Avenue  
Boston, MA 02210-2211  
(617) 720-3500

Docket No. L0532/7010/NPF  
October 10, 2000  
xNDD





Attorney Docket No: L0532/7010/NPF

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Henry F. McInerney, et al.  
Serial No: 09/556,280  
Filing Date: April 24, 2000  
For: PORTABLE AUTHENTICATION DEVICE AND METHOD OF  
AUTHENTICATING PRODUCTS OR PRODUCT PACKAGING  
  
Examiner: Unknown  
Art Unit: 2877

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Neil P. Ferraro, Reg. No. 39,188

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**Attn: Official Draftsperson**  
Commissioner for Patents  
Washington, DC 20231

**LETTER TO OFFICIAL DRAFTSPERSON**

Sir:

Subject to the approval of the Examiner in this case, enclosed for filing are eleven (11) sheets of FORMAL DRAWINGS, Figures 1 through 17, for the above-referenced patent application.

The Commissioner is hereby authorized to charge any fees which may be required to Deposit Account No. 23-2825. A duplicate of this sheet is enclosed.

Respectfully submitted,  
*Henry F. McInerney, et al., Applicant(s)*

By: 

Neil P. Ferraro, Reg. No. 39,188  
Wolf, Greenfield & Sacks, P.C.  
600 Atlantic Avenue  
Boston, Massachusetts 02210  
Telephone: (617) 720-3500

Docket No.: L0532/7010/NPF  
Date: October 10, 2000  
**xndd**